



Atty. Dkt. No. 029318-0497

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jain et al.

Title: Controlled Release Nanoparticulate Compositions

Appl. No.: 09/337,675

Filing Date: 06/22/1999

Examiner: S. Tran

Art Unit: 1615

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated February 16, 2005, finally rejecting Claims 1-22; 25-54.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

07/19/2005 SZEWDIE1 00000006 09337675

01 FC:1401	500.00	DP
02 FC:1252	330.00	DP

The required fees are calculated below:

[X]	Notice of Appeal Fee	\$500.00
[X]	Extension for response filed within the second month:	\$450.00
[X]	Extension Already Obtained for first month:	\$120.00
	FEE TOTAL:	\$830.00
[]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$830.00

- [] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- [X] A check in the amount of \$830.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By Michele M. Simkin

Date July 18, 2005

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717